

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL NO. 1:00CV32

H. DEAN ALLISON, <i>et al.</i>,)	
)	
This document pertains to:)	
JOHN A. VOGLER, as Administrator)	
of the Estate of Anderson L. Vogler,)	
Deceased,)	
)	
Plaintiffs,)	
)	
vs.)	
)	
DANIEL CONSTRUCTION COMPANY,)	
INC., and DANIEL INTERNATIONAL)	
CORPORATION,)	
)	
Defendants.)	
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ORDER

THIS MATTER is before the Court on motion by the Administrator of the Estate of Anderson L. Vogler to be substituted for the deceased Plaintiff Anderson Vogler.

On review of the motion, it appears to the Court that John A. Vogler has been duly qualified, appointed and acting as Administrator of Plaintiff Vogler's estate and that the nature of this action is such that the cause of action survives the death of the named Plaintiff.

IT IS, THEREFORE, ORDERED that the motion is **ALLOWED**, and John A. Vogler, Administrator of the Estate of Anderson L. Vogler, Deceased, is hereby substituted as Plaintiff for Anderson L. Vogler.

Signed: May 25, 2007

A handwritten signature in dark ink, appearing to read 'Lacy H. Thornburg', is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

